

## **REMARKS**

### *Status of Claims*

Claims 10 and 12-19 are pending after the foregoing amendments in which claims 1-9, 11 and 20 were cancelled and claims 12, 18 and 19 have been amended. Support for the amendments to claims 10 and 19 may be found in claim 2 as originally filed.

### *Rejections Under 35 U.S.C. §112*

Claim 18 was rejected under 35 U.S.C. §112, second paragraph, because Claim 18 recites the limitation “wherein said parameters”. Applicant has amended claim 18 to depend from claim 17 as suggested in the Office Action in order to overcome this rejection.

### *Rejections Under 35 U.S.C.*

Claims 15, 17, and 18 stand rejected under 35 U.S.C. §102(a) as being anticipated by Connor 1 (U.S. 6,868,466). Claims 10, 11, 13, 14, and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Connor 1 in view of Connor 2 (U.S. 6,993,613). Claim 12 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Connor 1 in view of Connor 2 (U.S. 6,993,613). Claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Connor 1 in view of Connor 2, and further in view of Killian (U.S. 6,473,426).

Claims 10 and 19 have been amended to include the limitations formerly found in claims 11 and 20. Accordingly, the following arguments respond to the rejection of cancelled claim 2 under 35 U.S.C. §103(a) as being unpatentable over Connor 1 in view of Connor 2.

The Office Action states that Col. 9, line 54 of Connor 2 teaches the limitations of claim 2 (now included in claims 10 and 19). Applicants respectfully disagree.

Both claims 10 and 19 recite exiting an interrupt mode when: there are no more packets in said receive buffer; and at least one of: said state variable is equal to a selected value and a selected interval has transpired since said interrupt was generated.

Contrary to the assertion in the Office Action, Connor 2 does not teach a method having such a step. In particular, claims 10 and 19 require a two-part test not taught by

Connor 2. This test requires first, that there be no packets in the receive buffer as a condition precedent to the second part of the test. When this condition is met then either the state variable has to be equal to a selected value or a time interval has transpired since the interrupt was generated in order for interrupt handler to be exited. This dual step test is neither taught nor suggested by Connor 2. Indeed, the cited sections of Connor 2 (Col. 9, lines 54 et. seq.) do not discuss requiring that there be no more packets in the receive buffer to exit the interrupt handler. Rather, the only metric mentioned is the rate of arrival of packets and how that may change.

In view of the foregoing, it is respectfully asserted that claims 10 and 19 are patentable over the cited references. Claims 12-18 depend from claim 10 and are patentable for at least the same reasons.

**Conclusion**

In view of the foregoing amendments and remarks, it is submitted that the application is now in condition for allowance. Such action is therefore respectfully requested.

If a communication with Applicant's Attorneys would assist in advancing this case to allowance, the Examiner is cordially invited to contact the undersigned so that any such issues may be promptly resolved.

The Commissioner is hereby authorized to charge any additional fees that may be required for this amendment, or credit any overpayment, to Deposit Account No. 09-0447. In the event that an extension of time is required, or may be required in addition to that requested in a petition for extension of time, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-identified Deposit Account.

Respectfully submitted,

CANTOR COLBURN LLP

Applicant's Attorneys

By:       /M. Brad Lawrence/      

M. Brad Lawrence  
Registration No: 47,210  
Customer No. 59401

Dated this 20<sup>th</sup> day of July, 2010

Address: 20 Church Street, 22<sup>nd</sup> Floor, Hartford, CT 06103  
Telephone: (860) 286-2929  
Fax: (860) 286-0115